

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMAZIN' RAISINS INTERNATIONAL, INC.,
an Ontario, Canada corporation,

Plaintiff,

v.

OCEAN SPRAY CRANBERRIES, INC.,
a Delaware corporation,

Defendant.

Civ. Action No. 04-12679-MLW

NOTICE OF APPEAL

NOTICE IS HEREBY given that Amazin' Raisins International, Inc., Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the Federal Circuit from the District Court's Final Judgment (Doc. No. 102) in favor of the Defendant entered in this action on August 20, 2007, in accordance with its Memorandum and Order (Doc. No. 101) granting Defendant's Motion for Summary Judgment also entered on August 20, 2007.

Respectfully submitted,

AMAZIN' RAISINS INTERNATIONAL, INC.,

through its attorneys,

Dated: 9/18/07

By: 

Nicholas G. Papastavros (BBO # 635742)

Gina M. McCreadie (BBO # 661107)

NIXON PEABODY LLP

100 Summer Street

Boston, MA 02110

Telephone: 617-345-1000

Christopher J. Sorenson (MN # 210118)
Todd Werner (MN # 033019X)
MERCHANT & GOULD P.C.
3200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: 612-332-5200
Facsimile: 612-332-9081

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Notice of Appeal*, which was filed electronically with the Court through the Electronic Case Files system, will be sent electronically to registered counsel of record as identified on the Notice of Electronic Filing (“NEF”) and a paper copy will be sent via facsimile and overnight delivery on September 18, 2007 to any counsel of record who are not registered on NEF.

/s/ Gina M. McCreadie
Gina M. McCreadie